United States District Court AO91 (Rev. 12/03) Criminal Complaint ÄUSA Southern District of Texas COURT UNITED STATES Southern District Of Texas Brownsville Division David J. Bradley, Clerk of Court CRIMINAL COMPLAINT UNITED STATES OF AMERICA vs. Case Number: 1:20-M Sergio CRUZ-Gonzalez A215 771 866 Mexico. I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about March 20, 2020 Cameron County, in Southern District Of Texas defendant(s) the knowingly, willfully, and in reckless disregard of the fact that 3 person(s) were undocumented alien(s), did bring in said alien(s) into the United States at a place other than a designated port of entry by the Secretary of Homeland Security or the Attorney General of the United States, in violation of Title United States Code, Section(s) 1324(a)(1)(A)(i) and that this complaint is based on the I further state that I am a(n) Border Patrol Agent following facts: On March 20, 2020, at approximately 10:00 a.m., Harlingen Border Patrol Agents began still watch operations in San Pedro, Tx. At approximately 12:36 p.m., a Border Patrol Agent observed eight subjects wade across the Rio Grande River making their way north from the river. The agent relayed the information to other agents in the area. A Border Patrol Agent that was waiting north of their location later observed five subjects running north past the river levee heading towards a brushy area, The Agent gave chase apprehending one subject and advising to other agents in the area of another subject running north while

two subjects running south back towards the river. The agent gave a clothing description of the subject that ran north to the

agents in the area.

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on

Continued on the attached sheet and made a part of this complaint:

March 22, 2020

Date

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

□No X Yes

Signature of Complainant

Torres, Juan Border Patrol Agent

Printed Name of Complainant

Brownsyille,

City/State

at

Signature of Ju-

## 

CONTINUATION OF CRIMINAL COMPLAINT

United States District Court Southern District of Texas FILED

MAR 2 2 2020

## AFFIDAVIT In support of Criminal Complaint

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

Sergio CRUZ-Gonzalez A215 771 866 Mexico Case Number: 1:20-MJ-3

The agents noticed foot prints in the area of the subjects last known location. The Agents followed the foot sign encountering subject later known as Sergio CRUZ-Gonzalez. He was found trying to conceal himself in tall grass and thick brush. He met the clothing description previously radioed in. The agent identified himself as a Border Patrol Agent. During the course of a brief interview, it was discovered that he was a national of Mexico without proper documentation to be in the United States. At approximately 1:30 p.m., he was placed under arrest.

The Agent that was south of the levee apprehended the two subjects that were trying to run back to Mexico. The agent identified himself as a Border Patrol Agent discovering that they were in the United States illegally without proper documentation to be in the United States. That agent also observed four additional subjects safely return back to Mexico. All subjects were transported to the Harlingen Border Patrol Station for further interviews and case development.

Once at the Harlingen Border Patrol Station, Agents initiated a smuggling investigation, discovering through testimony provided, serving as a Material Witness that he was to pay \$7,500,00 USD to get smuggled to Houston, Texas. The Material Witness also positively identified CRUZ-Gonzalez, Sergio through a DHS photo lineup as the brush guide that was bringing the group in

Defendant had \$500.00 Mexican pesos at the time of arrest.

Submitted by reliable electronic means, sworn to and signature attested as per Fed. Rules Cr. Proc. 4.1

Sefore me on

<u>22nd</u>

Signature of Judicial Office

ay of

March, 2020

Juan Torres, Border Patrol Agent

Signature of Complainant